

# MEMORANDUM



**Date:** July 24, 2007  
**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners  
**From:** George M. Burgess  
County Manager

Agenda Item No. 8(P)3(A)

**Subject:** Change Order No. 2 for Proactive Street Light Maintenance Contract - Zone A Contract No. 20050031

## **Recommendation**

The attached Change Order No. 2 on a contract between Under Power Corp. and Miami-Dade County has been prepared by the Public Works Department and is recommended for approval.

**CHANGE ORDER NUMBER:** 2

## **Scope**

**PROJECT NAME:** Proactive Street Light Maintenance Contract - Zone A  
**PROJECT NO:** 20050031  
**CONTRACT NO:** 20050031  
**PROJECT DESCRIPTION:** The contract shall consist of providing labor, equipment and materials for the continuing maintenance and repair service to all roadway lighting circuits on the County roadway system within Miami-Dade County; which includes response time to emergency and life threatening situations, and protection of substantial capital equipment.  
**PROJECT LOCATION:** Zone A - County and State Arterial Roads from Flagler Street North to Countyline Road (NW 215th Street)  
**PRIMARY COMMISSION DISTRICT:** Various Districts  
**APPROVAL PATH:** Board of County Commissioners  
**USING DEPARTMENT:** Public Works Department  
**MANAGING DEPARTMENT:** Public Works Department

## **Fiscal Impact / Funding Source**

**CHANGE ORDER FUNDING SOURCE:** Secondary Gas Tax (SGT) and funding from the Florida Department of Transportation (FDOT) will fund this contract.  
**PTP FUNDING:** No  
**GOB FUNDING:** No

**CHANGE ORDER  
DESCRIPTION:**

Increase the contract amount by \$759,000.00

**MONETARY JUSTIFICATION:**

The PWD awarded this contract to Under Power Corp. to provide maintenance and repair services to all roadway lighting circuits along the County's roadway system within Zone A (from Flagler Street North to Countyline Road). The contract time was 545 calendar days, from August 25, 2005, to February 20, 2007, with an option to extend the contract time by 365 calendar days. The awarded amount, including the base contract amount, contingency allowance and dedicated allowances, was \$1,591,750.00. This amount represented an estimated cost based on the number of lighting circuits expected to be serviced throughout the life of the contract.

The option to extend the contract time by 365 calendar days was approved by the Board of County Commissioners (BCC) on November 28, 2006, and exercised by the PWD with the consent of the contractor; the revised expiration date is February 20, 2008. In addition, funds totaling \$1,051,696.70 were allocated to pay for maintenance and repair services during the 1-year extension period. The increase was determined by prorating the original contract amount.

This Change Order increases the contract amount by \$759,000.00 in order to supplement funding for this contract through February 20, 2008. This increase includes base contract funds in the amount of \$690,000.00 and contingency allowance funds in the amount of \$69,000.00.

The reasons for the funding request in this Change Order are twofold. First, the number of streetlights to be serviced unexpectedly increased from 12,600 to 13,335, instead of decreasing. The PWD originally projected the number to decrease due to expected incorporations and new expected service agreements with the Florida Department of Transportation (FDOT). However, the expected incorporations and agreements did not materialize. Second, the contract contains a clause stipulating yearly price adjustments tied to the Consumer Price Index (CPI), which resulted in a \$0.77 increase in the monthly maintenance cost per light, from \$7.85 to \$8.62. When the PWD requested and obtained funding for the 1-year time extension, staff inadvertently omitted the CPI adjustment cost and determined the amount of the request by prorating the original base contract amount. Consequently, the funding request in Amendment One did not include adjustments to either the cost of maintenance per light nor to the number of lights being serviced.

It is in the interest of the County to provide supplemental funding for this contract until its expiration date of February 20, 2008. Prices under this contract are significantly lower (10-15%) than contracts in place five years ago even with the CPI adjustment. Also, when this contract was bid the unit price per street light proffered by the second lowest bidder was 72% higher. Finally, the contractor continues to provide exceptional service.

Approval of this Change Order will provide sufficient funding to continue maintenance and repair service to all roadway lighting circuits along the County's roadway system within Zone A through the termination date of this contract. The PWD is currently advertising for bids for a new contract in order to provide a seamless continuation of service after the current contract expires.

**TIME JUSTIFICATION:**

N/A

	<u>Original Contract Values</u>	<u>Previous Adjustments To Values</u>	<u>This Change Order Values</u>	<u>Current Totals</u>	<u>Total Paid</u>	<u>Balance After Change Order</u>
<b>BASE:</b>	\$1,420,495.50	\$1,375,629.80	\$690,000.00	\$3,486,125.30	\$2,536,180.23	\$949,945.07
<b>CONTINGENCY:</b>	\$142,049.55	\$94,699.70	\$69,000.00	\$305,749.25	\$139,302.83	\$166,446.42
<b>DEDICATED:</b>	<u>\$29,204.95</u>	<u>\$10,000.00</u>	<u>\$0.00</u>	<u>\$39,204.95</u>	<u>\$500.00</u>	<u>\$38,704.95</u>
<b>TOTALS:</b>	\$1,591,750.00	\$1,480,329.50	\$759,000.00	\$3,831,079.50	\$2,675,983.06	\$1,155,096.44

	<u>Original Contract Duration</u>	<u>Previous Adjustments To Duration</u>	<u>This Change Order Duration</u>	<u>Current Totals</u>
<b>BASE DURATION:</b>	545	365	0	910
<b>CONTINGENCY:</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>TOTAL DURATION:</b>	545	365	0	910

#### **INITIATING FACTOR(S) FOR CHANGE ORDER**

<u>Reason</u>	<u>Cost</u>	<u>Duration</u>
County Requested Change	<u>\$759,000.00</u>	0
Total:	\$759,000.00	

#### **Track Record / Monitor**

**PERFORMANCE RECORD:** The contractor's work performance in this contract is superior (exemplary quality, no intervention required - project completed on time or early at or below budget with no change orders or amendments other than owner requested changes and has met contract expectations).

**PRIME CONTRACTOR:** Under Power Corp

**COMPANY PRINCIPAL:** Rafael Nin

**COMPANY QUALIFIERS:** Anthony Marchetta

**COMPANY EMAIL ADDRESS:** atirse@underpowercorp.com

**COMPANY STREET ADDRESS:** 14170 S.W. 30 Street

**COMPANY CITY-STATE-ZIP:** Miami, Florida 33175

**YEARS IN BUSINESS:** 14

**PREVIOUS EXPERIENCE WITH COUNTY IN THE LAST FIVE YEARS:** 46 contracts, for a total of \$24,488,252.00

**SUBCONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE):** Gold Electric, Inc., Prime Electric Contractor, Inc., and GE Supply, Inc.

**CONTRACT MANAGER  
NAME/PHONE/EMAIL:**

Joaquín Urrechaga (305) 592-3580 - Ext: jxu@miamidade.gov  
233

**PROJECT MANAGER  
NAME/PHONE/EMAIL:**

Garfield Perry (305) 592-3580 GARPE@miamidade.gov

**Background**

**BACKGROUND:**

This contract's Notice to Proceed was dated August 25, 2005, with a contract time of 545 calendar days. The original contract expiration date was February 20, 2007, with an option to renew the contract at the discretion of the PWD, with the consent of the contractor, for an additional 365 calendar days.

PWD utilized this Street Light Maintenance Contract to provide emergency restoration services to the County's Roadway Lighting System in the aftermath of Hurricane Katrina, which made landfall in Miami-Dade County on August 25, 2005. The damage to the roadway lighting infrastructure was significant and considerable material and labor was required to restore the system to its normal operating mode. Change Order No. One to this contract replenished funds spent for the emergency restoration of the roadway lighting system. Change Order One increased the contract amount by \$428,632.80, and was approved by the County Manager under the Expedite Ordinance (Section 2-8.2.7 of the Miami-Dade County Code) on April 28, 2006, and ratified by the Board of County Commissioners (BCC) on July 18, 2006.

On November 28, 2006, the BCC approved Amendment No. One to this contract, which allowed the PWD to administratively extend the contract time by an additional 365 calendar days and provided \$1,051,696.70 in additional funding. However, the funding increase did not include additional funds required due to the contractually established annual adjustment in price tied to the U.S. Department of Labor's Consumer Price Index (CPI), nor sufficient funding for the actual number of street lights ultimately needing to be maintained. The subject Change Order No. Two provides the supplemental funding to address both the CPI increase and funding for maintaining the current number of lights being serviced.

BUDGET APPROVAL  
FUNDS AVAILABLE:

  
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OSBM DIRECTOR

7-3-07  
DATE

APPROVED AS TO  
LEGAL SUFFICIENCY:

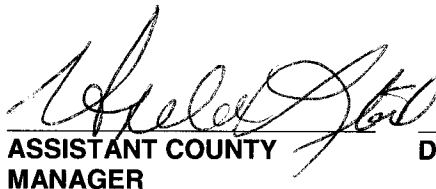
  
\_\_\_\_\_  
COUNTY ATTORNEY

7-3-07  
DATE

CAPITAL  
IMPROVEMENTS  
CONCURRENCE:

\_\_\_\_\_  
OCI DIRECTOR

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
ASSISTANT COUNTY  
MANAGER

7-3-07  
DATE

CLERK DATE

\_\_\_\_\_  
DATE

STRATEGIC AREA: Transportation  
DEPARTMENT: Public Works

\*\*\*\*\* FUNDED PROJECTS \*\*\*\*\*  
(dollars in thousands)

**STREET LIGHTING MAINTENANCE**

**PROJECT # 6031231**

DESCRIPTION: Maintain existing street lighting on an as-needed basis

LOCATION: Various Sites  
Various Sites

DISTRICT LOCATED: Countywide  
DISTRICT(s) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	FUTURE	TOTAL
Secondary Gas Tax	1,700	1,700	1,700	1,700	1,700	1,955	2,053	2,155	14,663
FDOT Funds	1,300	1,300	1,300	1,300	1,300	1,495	1,570	1,649	11,214

<b>TOTAL REVENUE:</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,450</b>	<b>3,623</b>	<b>3,804</b>	<b>25,877</b>
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EXPENDITURE SCHEDULE:	PRIOR	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	FUTURE	TOTAL
Construction	3,000	3,000	3,000	3,000	3,000	3,450	3,623	3,804	25,877

<b>TOTAL EXPENDITURES:</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,450</b>	<b>3,623</b>	<b>3,804</b>	<b>25,877</b>
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**STREETLIGHT RETROFIT**

**PROJECT # 601760**

DESCRIPTION: Retrofit existing street lighting to meet new safety standards

LOCATION: Countywide  
Countywide

DISTRICT LOCATED: Countywide  
DISTRICT(s) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	FUTURE	TOTAL
People's Transportation Plan Bond Program	110	1,500	1,500	390	0	0	0	0	3,500

<b>TOTAL REVENUE:</b>	<b>110</b>	<b>1,500</b>	<b>1,500</b>	<b>390</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,500</b>
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EXPENDITURE SCHEDULE:	PRIOR	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	FUTURE	TOTAL
Construction	110	1,500	1,500	390	0	0	0	0	3,500

<b>TOTAL EXPENDITURES:</b>	<b>110</b>	<b>1,500</b>	<b>1,500</b>	<b>390</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,500</b>
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**TRAFFIC CONTROL CENTER**

**PROJECT # 603160**

DESCRIPTION: Acquire and build out a facility to house the traffic control center

LOCATION: 11500 NW 25 St  
Unincorporated Miami-Dade County

DISTRICT LOCATED: 12  
DISTRICT(s) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	FUTURE	TOTAL
People's Transportation Plan Bond Program	5,000	1,500	1,500	0	0	0	0	0	8,000

<b>TOTAL REVENUE:</b>	<b>5,000</b>	<b>1,500</b>	<b>1,500</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,000</b>
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EXPENDITURE SCHEDULE:	PRIOR	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	FUTURE	TOTAL
Construction	5,000	1,500	1,500	0	0	0	0	0	8,000

<b>TOTAL EXPENDITURES:</b>	<b>5,000</b>	<b>1,500</b>	<b>1,500</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,000</b>
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**MIAMI DADE COUNTY**  
Firm History Report  
(excluding A&E)

From: 06/25/2002 To: 06/25/2007

FIRM NAME: UNDER POWER CORP.  
7900 NW 60th St  
Doral, FL 33166-0000

E X H I B I T " A "

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE REPORTED	DATE	SUBCONTRACTORS
20050048	1	PW	NO MEASURE	05/13/2005	\$967,000	\$1,414,790	11/29/2006		
PROACTIVE STREET LIGHT MAINTENANCE									
CONTRACT - ZONE B (SIC 16)									
Change Order #	1				\$876,231				
Change Order #	2	NOV-28-06	365 days		\$644,667				
					\$2,487,898				
20050031	1	PW	NO MEASURE	05/16/2005	\$1,591,750	\$1,334,134	11/29/2006		
PROACTIVE STREET LIGHT MAINTENANCE									
CONTRACT - ZONE A (SIC 16)									
Change Order #	1				\$428,633				
Change Order #	2	NOV-28-06	365 days		\$1,051,697				
					\$3,072,080				
20050256 (7360)	1	PW	NO MEASURE	10/13/2005	\$196,900	\$56,272	11/29/2006		
TRAFFIC SIGNAL WORK									
					\$196,900				
* 20050335 (7360)	1	PW	NO MEASURE	10/24/2005	\$196,900	\$163,200	11/29/2006		
TRAFFIC SIGNAL INSTALLATION - PHASE II OF									
20050256					\$196,900				

\* Indicates closed or expired contracts  
Monday, June 25, 2007

Change Orders without dates are pending BCC approval



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Doral, FL 33166-0000

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
20050257 (7360)	1	PW	NO MEASURE	11/01/2005	\$195,800	\$0	11/29/2006		
TRAFFIC SIGNAL WORK					\$195,800				
20060024	1	PW	NO MEASURE	11/08/2005	\$199,999	\$99,527	11/29/2006		
HURRICANE TRAFFIC SIGNAL REPAIRS					\$199,999				
20050282 (7360)	1	PW	NO MEASURE	11/16/2005	\$235,449	\$189,343	11/29/2006		
HURRICANE TRAFFIC SIGNAL REPAIRS					\$235,449				
20050333 (7360)	1	PW	NO MEASURE	12/05/2005	\$199,999	\$142,313	11/29/2006		
HURRICANE TRAFFIC SIGNAL REPAIRS					\$199,999				
20050338 (7360)	1	PW	NO MEASURE	01/06/2006	\$199,999	\$126,003	11/29/2006		
HURRICANE TRAFFIC SIGNAL REPAIRS					\$199,999				

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PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
20050270	1	PW	NO MEASURE	01/17/2006	\$502,000	\$0	11/29/2006		
LIGHTING IMPROVEMENT (SIC 17)					\$502,000				
20050168 (7360)	1	PW	NO MEASURE	01/24/2006	\$201,541	\$0	11/29/2006		
TRAFFIC SIGNAL INSTALLATION (SIC 17)					\$201,541				
20050174 (7360)	1	PW	NO MEASURE	01/24/2006	\$132,399	\$0	11/29/2006		
TRAFFIC SIGNAL IMPROVEMENT (SIC 17)					\$132,399				
EW2653-PW	1	PW	NO MEASURE	02/02/2006	\$116,595	\$116,595	01/24/2007		
STREET LIGHTS REPAIRS - WILMA EMERGENCY					\$116,595				
EW2652-PW	1	PW	NO MEASURE	02/02/2006	\$189,244	\$119,044	01/24/2007		
STREET LIGHT REPAIRS - WILMA EMERGENCY					\$189,244				



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PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
EW2651-PW	1	PW	NO MEASURE	02/02/2006	\$162,792	\$162,792	01/24/2007		
STREET LIGHT REPAIRS - WILMA EMERGENCY					\$162,792				
EW2650-PW	1	PW	NO MEASURE	02/02/2006	\$140,000	\$140,000	01/24/2007		
TRAFFIC SIGNAL REPAIRS - WILMA EMERGENCY					\$140,000				
EW2649-PW	1	PW	NO MEASURE	02/02/2006	\$168,315	\$168,315	01/24/2007		
TRAFFIC SIGNAL REPAIRS - WILMA EMERGENCY					\$168,315				
EW2648-PW	1	PW	NO MEASURE	02/02/2006	\$155,991	\$155,991	01/24/2007		
TRAFFIC SIGNAL REPAIRS					\$155,991				
EW2670-PW	1	PW	NO MEASURE	02/03/2006	\$96,265	\$96,265	01/24/2007		
STREET LIGHTS REPAIRS - WILMA EMERGENCY					\$96,265				

\* Indicates closed or expired contracts

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PROJECT #	CONTRACT	DEPT	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
EW2709-PW	1	PW	NO MEASURE	02/07/2006	\$554,499	\$554,499 01/24/2007			
STREET LIGHT REPAIRS - WILMA EMERGENCY					\$554,499				
EW2676-PW	1	PW	NO MEASURE	02/09/2006	\$225,242	\$225,242 01/24/2007			
EMERGENCY STREET LIGHT REPAIRS - HURRICANE WILMA					\$225,242				
EW2760-PW	1	PW	NO MEASURE	02/28/2006	\$70,200	\$70,200 01/24/2007			
STREET LIGHT REPAIRS - WILMA EMERGENCY					\$70,200				
20060010	1	PW	NO MEASURE	03/01/2006	\$184,048	\$0 11/29/2006			
TRAFFIC SIGNAL INSTALLATION (SIC 17)					\$184,048				
20060062 7360	1	PW	NO MEASURE	03/30/2006	\$187,348	\$0 11/29/2006			
TRAFFIC SIGNAL INSTALLATION (SIC 17)					\$187,348				



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PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE REPORTED	DATE	SUBCONTRACTORS
EW2675-PW	1	PW	NO MEASURE	04/25/2006	\$417,921	\$417,921	01/24/2007		
					\$417,921				
20060026 (7360)	1	PW	NO MEASURE	05/09/2006	\$1,128,108	\$0	11/29/2006		
PTP FLASHING SCHOOL SIGNALS (SIC 17)					\$1,128,108				
					\$1,128,108				
20060027 (7360)	1	PW	NO MEASURE	05/09/2006	\$1,128,108	\$0	11/29/2006		
PTP FLASHING SCHOOL SIGNALS (SIC 17)					\$1,128,108				
					\$1,128,108				
20060153 (7360)	1	PW	NO MEASURE	06/02/2006	\$1,000,000	\$0	11/29/2006		
TRAFFIC SIGNAL IMPROVEMENT (SIC 17)					\$1,000,000				
					\$1,000,000				
20060152 (7360)	1	PW	NO MEASURE	06/02/2006	\$1,000,000	\$0	11/29/2006		
TRAFFIC SIGNAL IMPROVEMENT (SIC 17)					\$1,000,000				
					\$1,000,000				

\* Indicates closed or expired contracts

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PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE REPORTED	DATE	SUBCONTRACTORS
EW2835-PW	1	PW	NO MEASURE SBE	06/06/2006	\$339,761	\$339,761 01/24/2007			
EMERGENCY STREET LIGHT REPAIRS (HURRICANE WILMA)					\$339,761				
EW2836-PW	1	PW	NO MEASURE SBE	06/06/2006	\$331,980	\$331,980 01/24/2007			
EMERGENCY STREET LIGHT REPAIRS (HURRICANE WILMA)					\$331,980				
EW2837-PW	1	PW	NO MEASURE SBE	06/06/2006	\$225,000	\$143,640 01/24/2007			
EMERGENCY STREET LIGHT REPAIRS (HURRICANE WILMA)					\$225,000				
EW2838-PW	1	PW	NO MEASURE SBE	06/06/2006	\$328,426	\$328,427 01/24/2007			
EMERGENCY STREET LIGHT REPAIRS (HURRICANE WILMA)					\$328,426				
EW2839-PW	1	PW	NO MEASURE SBE	06/06/2006	\$267,447	\$267,447 01/24/2007			
EMERGENCY STREET LIGHT REPAIRS (HURRICANE WILMA)					\$267,447				

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PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE REPORTED	SUBCONTRACTORS
20050287	1	PW	NO MEASURE	06/06/2006	\$1,800,000	\$0	11/29/2006	
					<u>\$1,800,000</u>			
20050286	1	PW	NO MEASURE	06/06/2006	\$1,200,000	\$0	11/29/2006	
					<u>\$1,200,000</u>			
20060105 (7360)	1	PW	NO MEASURE	06/07/2006	\$1,054,825	\$0	11/29/2006	
					<u>\$1,054,825</u>			
20060229 (7360)	1	PW	NO MEASURE CSBE 0%	09/11/2006	\$241,948	\$0	11/29/2006	
					<u>\$241,948</u>			
20060311 (7360)	1	PW	NO MEASURE	11/07/2006	\$1,139,750	\$0	11/29/2006	
					<u>\$1,139,750</u>			

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Doral, FL 33166-0000

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE REPORTED	DATE	SUBCONTRACTORS
20060292 (7360)	1	PW	NO MEASURE	11/10/2006	\$1,059,211	\$0	11/29/2006		
					<u>\$1,059,211</u>				
20060363 (7360)	1	PW	NO MEASURE	03/30/2007	\$197,532				
PTP TRAFFIC SIGNAL INSTALLATION AT E 1ST AVENUE AND E 17TH STREET (SIC 17)					<u>\$197,532</u>				
20070486 (7360)	1	PW	NO MEASURE	04/11/2007	\$172,733				
PTP TRAFFIC SIGNAL INSTALLATION (SIC 17)					<u>\$172,733</u>				
20070583 (7360)	1	PW	NO MEASURE	06/08/2007	\$346,000				
INTERNALLY ILLUMINATED STREET NAME SIGN INSTALLATION (SIC 17)					<u>\$346,000</u>				
20070584 (7360)	1	PW	NO MEASURE	06/08/2007	\$346,000				
INTERNALLY ILLUMINATED STREET NAME SIGN INSTALLATION (SIC 17)					<u>\$346,000</u>				

\* Indicates closed or expired contracts

Monday, June 25, 2007

Change Orders without dates are pending BCC approval

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Ver: 1



## PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME AS OF	REQ TO DATE REPORTED	DATE	SUBCONTRACTORS
20070585 (7360)	1	PW	NO MEASURE	06/08/2007	\$346,000				
					<u>\$346,000</u>				
20070586 (7360)	1	PW	NO MEASURE	06/08/2007	\$346,000				
					<u>\$346,000</u>				
<div style="display: flex; justify-content: space-between;"> <div> <p><b>Total Award Amount</b></p> <p><b>Total Change Orders Approved by BCC</b></p> </div> <div> <p>\$21,487,024</p> <p>\$1,696,363</p> </div> </div>									
<div style="display: flex; justify-content: space-between;"> <div> <p><b>Total Change Orders Approved After Requested Date Range</b></p> <p><b>Total Change Orders Pending</b></p> </div> <div> <p>\$0</p> <p>\$1,304,864</p> </div> </div>									
					<u>\$23,183,388</u>				
					<u>\$24,488,252</u>				

\* Indicates closed or expired contracts  
Monday, June 25, 2007

**Change Orders without dates are pending BCC approval**

Ver: 1



BID TABULATION REPORT

June 26, 2007 10:57 AM

E X H I B I T “ B ”

Project Name: Proactive Street Light Maintenance Contract - Zone A

Project No: 20050031

Bid Open Date: 05/11/2005

Name: UNDER POWER CORP.

Address: 1380 NW 78 AVE.

City/ST/Zip: MIAMI, FL. 33126

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>			
715-5-104	RELOCATE EXISTING LIGHT POLE AT THE DIRECTION OF THE ENGINEER (Includes removal and disposal of existing pole and service) (includes all materials and equipment including conduits, conductors and concrete base for new pole)	EA.	6.00	5,000.00	30,000.00	30,000.00
715-7-13	REMOVE AND RELOCATE SERVICE POINT (including 2 pull boxes and ground rod)	EA.	6.00	4,000.00	24,000.00	24,000.00
715-413-20	INSTALL 20 FOOT CONCRETE POLE AT SERVICE POINT (including electrical box and arm)(pole and arm provided by the County)	EA	6.00	3,000.00	18,000.00	18,000.00
L-715-69	SERVICE AND MAINTENANCE OF MIAMI-DADE COUNTY STREET LIGHTING SYSTEM (per fixture / per month)(includes FDOT Arterial roadways)	EA	12,600.00	7.85	98,910.00	98,910.00
W-101-2	WORK CREW TO BE UTILIZED AS DETAILED IN THE SPECIAL PROVISIONS (one certified electrician and two helpers)	HRS	100.00	200.00	20,000.00	20,000.00
W-101-3	WORK CREW FORMAN - (to be utilized for the work crew)	HRS	100.00	100.00	10,000.00	10,000.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	9,891.00	9,891.00	51,175.38
102-1-SE	MAINTENANCE OF TRAFFIC (Including barricades, traffic cones, temporary signs, flag men etc.) (as directed by the Engineer)	L.S.	1.00	5,000.00	5,000.00	5,000.00

# BID TABULATION REPORT

June 26, 2007 10:57 AM

Project Name: Proactive Street Light Maintenance Contract - Zone A

Project No: 20050031

Bid Open Date: 05/11/2005

Name: HORSEPOWER ELECTRIC, INC

Address: 8105 WEST 20TH AVE

City/ST/Zip: HIALEAH, FLORIDA-33014

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>		
715-5-104	RELOCATE EXISTING LIGHT POLE AT THE DIRECTION OF THE ENGINEER (includes removal and disposal of existing pole and service) (includes all materials and equipment including conduits, conductors and concrete base for new pole)	EA.	6.00	3,500.00	21,000.00
715-7-13	REMOVE AND RELOCATE SERVICE POINT (including 2 pull boxes and ground rod)	EA.	6.00	4,200.00	25,200.00
715-413-20	INSTALL 20 FOOT CONCRETE POLE AT SERVICE POINT (including electrical box and arm)(pole and arm provided by the County)	EA	6.00	2,200.00	13,200.00
L-715-69	SERVICE AND MAINTENANCE OF MIAMI-DADE COUNTY STREET LIGHTING SYSTEM (per fixture / per month)(includes FDOT Arterial roadways)	EA	12,600.00	13.92	175,392.00
W-101-2	WORK CREW TO BE UTILIZED AS DETAILED IN THE SPECIAL PROVISIONS (one certified electrician and two helpers)	HRS	100.00	325.00	32,500.00
W-101-3	WORK CREW FORMAN - (to be utilized for the work crew)	HRS	100.00	98.00	9,800.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	17,539.20	17,539.20
102-1-SE	MAINTENANCE OF TRAFFIC (Including barricades, traffic cones, temporary signs, flag men etc.) (as directed by the Engineer)	L.S.	1.00	5,000.00	5,000.00

# BID TABULATION REPORT

June 26, 2007 10:57 AM

Project Name: Proactive Street Light Maintenance Contract - Zone A

Project No: 20050031

Bid Open Date: 05/11/2005

Name: WILCO ELECTRICAL CONTRACTING INC.

Address: 7320 NW 43 ST.

City/ST/Zip: MIAMI/FL/33166

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>
715-5-104	RELOCATE EXISTING LIGHT POLE AT THE DIRECTION OF THE ENGINEER (Includes removal and disposal of existing pole and service) (includes all materials and equipment including conduits, conductors and concrete base for new pole)	EA.	6.00 Exceeded quota
715-7-13	REMOVE AND RELOCATE SERVICE POINT (including 2 pull boxes and ground rod)	EA.	6.00 Exceeded quota
715-413-20	INSTALL 20 FOOT CONCRETE POLE AT SERVICE POINT (including electrical box and arm)(pole and arm provided by the County)	EA	6.00 Exceeded quota
L-715-69	SERVICE AND MAINTENANCE OF MIAMI-DADE COUNTY STREET LIGHTING SYSTEM (per fixture / per month)(includes FDOT Arterial roadways)	EA	12,600.00 Exceeded quota
W-101-2	WORK CREW TO BE UTILIZED AS DETAILED IN THE SPECIAL PROVISIONS (one certified electrician and two helpers)	HRS	100.00 Exceeded quota
W-101-3	WORK CREW FORMAN - (to be utilized for the work crew)	HRS	100.00 Exceeded quota
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00 Exceeded quota
102-1-SE	MAINTENANCE OF TRAFFIC (Including barricades, traffic cones, temporary signs, flag men etc.) (as directed by the Engineer)	L.S.	1.00 Exceeded quota

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# BID TABULATION REPORT

June 26, 2007 10:57 AM

Project Name: Proactive Street Light Maintenance Contract - Zone A

Project No: 20050031

Bid Open Date: 05/11/2005

Name: UNDER POWER CORP.

Address: 1380 NW 78 AVE.

City/ST/Zip: MIAMI, FL. 33126

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>		
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	5,000.00	5,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	5,000.00	5,000.00
999-4	FOR ALL COST ASSOCIATED WITH THE INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL..(SEE "INSTRUCTIONS TO BIDDERS" AND "GENERAL SPECIFICATIONS") (FOR DOLLAR AMOUNT \$1M - \$10M) (1% OF SUB-TOTAL )]	L.S.	1.00	989.10	5,117.54

System Calculated Total: \$583,046.66

Contractor's Bid Items Total \$537,633.85

Submitted Total From Contractor: \$226,790.10

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# BID TABULATION REPORT

June 26, 2007 10:57 AM

Project Name: Proactive Street Light Maintenance Contract - Zone A

Project No: 20050031

Bid Open Date: 05/11/2005

Name: HORSEPOWER ELECTRIC, INC

Address: 8105 WEST 20TH AVE

City/ST/Zip: HIALEAH ,FLORIDA-33014

Item No	Description	Unit	Quantity		
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	5,000.00	5,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	5,000.00	5,000.00
999-4	FOR ALL COST ASSOCIATED WITH THE INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL..(SEE "INSTRUCTIONS TO BIDDERS" AND "GENERAL SPECIFICATIONS")(FOR DOLLAR AMOUNT \$1M - \$10M)(1% OF SUB-TOTAL )]	L.S.	1.00	2,079.31	2,770.92

System Calculated Total: \$322,572.12

Contractor's Bid Items Total \$311,710.51

Submitted Total From Contractor: \$210,010.50

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# BID TABULATION REPORT

June 26, 2007 10:57 AM

Project Name: Proactive Street Light Maintenance Contract - Zone A

Project No: 20050031

Bid Open Date: 05/11/2005

Name: WILCO ELECTRICAL CONTRACTING INC.

Address: 7320 NW 43 ST.

City/ST/Zip: MIAMI/FL/33166

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00 Exceeded quota
990	ALLOWANCE-PERMITS	L.S.	1.00 Exceeded quota
999-4	FOR ALL COST ASSOCIATED WITH THE INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL..(SEE "INSTRUCTIONS TO BIDDERS" AND "GENERAL SPECIFICATIONS")(FOR DOLLAR AMOUNT \$1M - \$10M)(1% OF SUB-TOTAL )	L.S.	1.00 Exceeded quota

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System Calculated Total:

○

Contractor's Bid Items Total

Submitted Total From Contractor:

**MIAMI-DADE COUNTY, FLORIDA**  
**PUBLIC WORKS DEPARTMENT**  
**CHANGE ORDER TO ORIGINAL CONTRACT**



CHANGE ORDER NO: 2

CONTRACT NO: 20050031

DATE: 6/19/2007

PROJECT TITLE: Proactive Street Light Maintenance Contract - Zone A

TO CONTRACTOR: Under Power Corp 14170 S.W. 30 Street

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

**Description of work authorized:** Increase the contract amount by \$759,000.00

**Monetary Justification:** The Public Works Department awarded this contract to Under Power Corporation to provide maintenance and repair service to all roadway lighting circuits on the County roadway system within Zone A (from Flagler Street North to Countyline Road-NW 215 Street). The contract time was 545 calendar days, from August 25, 2005, to February 20, 2007, with an option to extend the contract time by 365 calendar days. (Continued below)

**Time Justification:** N/A

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

**SUMMARY OF CONTRACT AMOUNT / TIME**

ORIGINAL CONTRACT AMOUNT-----	\$1,591,750.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$1,480,329.50
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$3,072,079.50
COST OF CHANGES WITH THIS DOCUMENT-----	\$759,000.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$3,831,079.50
PERCENT INCREASE WITH THIS CHANGE-----	25%
TOTAL PERCENT INCREASE TO DATE-----	141%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	545 / 365 / 0
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	0 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	910

**CERTIFYING STATEMENT:** I hereby certify that the changes and supporting cost data included is, in my considered opinion, necessary and accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit of competitive bidding.

Approved: ENGINEER OR CONSULTING ENGINEER \_\_\_\_\_ Date: \_\_\_\_\_

Recommended By: PROJECT MANAGER \_\_\_\_\_ Date: \_\_\_\_\_

**TO BE FILLED OUT BY PUBLIC WORKS DEPARTMENT**

**FUNDS BUDGET CODE** CPE99SEC.BCC99C.STLIGH.99111

**CERTIFIED BY DEPARTMENT'S FINANCE DIVISION:** [Signature] Date: 6/28/07

Accepted By: Under Power Corp

**Contractor** Alexander Tiras

**Fidelity and Deposit Company of Maryland**  
Accepted By: Surety

**Surety** Davor I. Mimica, Atty in Fact

**TSS**  
Reviewed By: Chief, Construction Division, PWD

06/26/07

Approved By: Assistant Director, PWD

Approved By: Director, Public Works Department

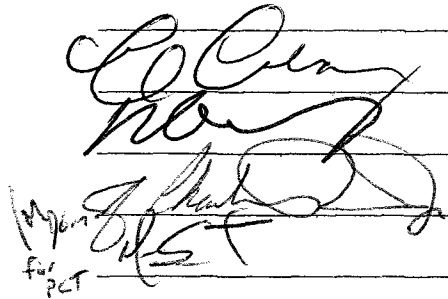
Approved By: County Attorney

Approved By: Director, OSBM

Approved By: Director, DPM

Approved By: County Manager

Attested By: Clerk of the Board

  
for PCT

6/29/07  
6-28-07  
6-28-07  
7/2/07

**Monetary Justification: (Continued)**

The awarded amount, including the base contract amount, contingency allowance and dedicated allowances, was \$1,591,750.00. Said amount represented an estimated cost based on the number of lighting circuits expected to be serviced throughout the life of the contract.

The option to extend the contract time by 365 calendar days was approved by the Board of County Commissioners on November 28, 2006, and exercised by the Public Works Department with the consent of the contractor, and the revised expiration date is February 20, 2008. In addition, funds totaling \$1,051,696.70 were allocated to pay for maintenance and repair services during the 1-year extension period. The increase was determined by prorating the original contract amount.

This Change Order increases the contract amount by \$759,000.00 in order to complement funding for this contract through February 20, 2008. This increase includes base contract funds in the amount of \$690,000.00 and contingency allowance funds in the amount of \$69,000.00. The reasons for the increase are threefold. First, the number of street lights to be serviced actually increased from 12,600 to 13,335, instead of decreasing due to expected incorporations and service agreements with the Florida Department of Transportation (FDOT) as originally projected. Second, the contract contains a clause stipulating yearly price adjustments tied to the Consumer Price Index (CPI) in the cost to service street lights, which resulted in a \$0.77 increase in the monthly maintenance cost per light, from \$7.85 to \$8.62. Third, when the Public Works Department requested and obtained funding for the 1-year time extension, it determined the amount of the request by prorating the original base contract amount and did not effect mid-course adjustments to either the cost of maintenance per light nor to the number of light being serviced.

Approval of this Change Order will provide sufficient funding to continue maintenance and repair service to all roadway lighting circuits on the County roadway system within Zone A through the date of termination of this contract, on February 20, 2008. The Public Works Department is currently advertising a new contract in order to provide a seamless continuation of service after the current contract expires.

**Time Justification Declaration:**

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.



**Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by FRANK E. MARTIN JR., Vice President, and GERALD F. HALEY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Charles C. BALL, William F. KLEIS, Ileana M. BAUZA, William L. PARKER and Davor I. MIMICA, all of Miami, Florida, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed, ~~any and all bonds and undertakings~~, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md. in their own proper persons. This power of attorney revokes that issued on behalf of J. Hayes WORLEY, JR., Harold M. HUMPHREY, Charles C. BALL, Phillip C. LYONS, Alex SOTO, William F. KLEIS, Ileana M. BAUZA, William L. PARKER, Davor I. MIMICA, dated September 12, 2005.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 2nd day of April, A.D. 2007.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Gerald F. Haley*

By:

*Frank E. Martin Jr.*

*Gerald F. Haley*      *Assistant Secretary*      *Frank E. Martin Jr.*      *Vice President*

State of Maryland }  
City of Baltimore } ss:

On this 2nd day of April, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came FRANK E. MARTIN JR., Vice President, and GERALD F. HALEY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

*Constance A. Dunn*      *Notary Public*  
My Commission Expires: July 14, 2007

## EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

### CERTIFICATE

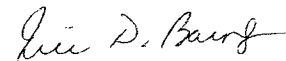
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this 21st day of June, 2007.



*Assistant Secretary*